

NCAI passes record number of resolutions

Seventy-two motions address recognition, litigation, health care, other issues

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PHOENIX – From federal recognition to turning fee lands into trust lands, from truth-in-labeling to a task force on tribal taxation and dozens of issues in between, the National Congress of American Indians passed a record 72 resolutions during its 65th annual conference Oct. 19 – 24.

Members of NCAI committees met daily during the week, between area caucus meetings, special presentations and appearances by local, state and federal officials, to deliberate over issues and fine-tune the language of the resolutions presented on the conference's last day.

The committees operate under five broad categories: economic, finance and community development; litigation and governance; veterans; human resources; and land and natural resources, in addition to the executive committee.

NCAI's executive committee was first, with President Joe Garcia presenting the resolutions in a report to the membership. Among the dozen-plus executive committee's resolutions were:

- A policy on federal recognition of Indian tribes.

NCAI strongly supports the recognition of all historic tribes, but cannot investigate and make determinations on historical and genealogical questions; doing so in the past has led on occasion to intratribal and intertribal conflict, the resolution says.

In order to avoid those conflicts, NCAI will support federal recognition for tribes who are co-sponsored by an NCAI member and present their request for a resolution at an NCAI meeting.

- A resolution urging the reversal of President Bush's interpretation of "continuing resolution" for funding programs through March 6, 2009.

Congress failed to pass a budget for fiscal year 2009 before Oct. 1, and instead passed a "continuing resolution" instead that is supposed to fund government operations until March 6, 2009, at the same level as 2008. But Bush determined that he could actually slash funding from 2008 levels. The resolution asks that Bush's interpretation be reversed and that programs be funded at the same level as last year.

- A call to reauthorize the Indian Health Care Improvement Act during the post-election lame duck session of the 110th Congress.

The litigation and governance committee passed almost two dozen resolutions that were presented by committee Chair John Echohawk, the executive director of Native American Rights Fund. The resolutions included:

- A request to the Justice Department to release "meaningful declination statistics" on the prosecution of crimes reported from Indian country.

This resolution asks Justice to release as soon as possible to Congress and tribal leaders statistics for the past five years that break down the declinations into general categories and compare the declinations of cases in Indian country with declination statistics for other cases provided to U.S. attorneys to prosecute.

- Approval of the NCAI Transition Plan for the presidential transition effort following the November election.

The plan provides a broad policy agenda, including issues that need to be addressed by the incoming administration. It also outlines the process for selecting qualified people to fill key positions in the new administration that affect Indian country and tribal citizens.

NCAI is calling for qualified tribal citizens who are interested in serving in positions from department secretary to staff to send their resumes to NCAI for review.

- A resolution concerning Public Law 280.

This resolution encourages Congress to hold field hearings on P.L. 280, the 1950s-era law that imposed state criminal jurisdiction over certain crimes in Indian country, and supports legislation with appropriate funding that will enable Indian nations to retrocede, or withdraw, from all or part of P.L. 280.

Other resolutions from the litigation and governance committee include support for the reauthorization of the Violence Against Women Act, with enhancements to strengthen the sovereignty and safety of American Indian and Alaska Native women. Others support efforts for a “fair and equitable settlement” of the Cobell and Nez Perce tribal class action litigation, and for the fair and equitable settlement of other individual tribal litigation.

The other committees passed resolutions that:

- Require the Defense Department, Veterans Administration and other federal agencies to do more to provide for the health care needs of Native veterans returning from Iraq and Afghanistan, and improve accessibility and availability of veterans’ health care services in Indian country.
- Support legislation that would require truth-in-labeling for wild rice sold in or exported from the U.S.
- Call on the U.S. Fish and Wildlife Service to fulfill its government-to-government consultation obligations regarding activities affecting bald eagles and golden eagles and their habitats.
- Support a change in the Social Security age of eligibility from 63 to 55, as the life expectancy for American Indians averages 48 years.
- Reaffirm and strengthen the Indian education provisions in the reauthorization of No Child Left Behind legislation.
- Support the U.N. Declaration on the Rights of Indigenous Peoples and call on the U.S. government to endorse the declaration.

The full set of resolutions will be posted to NCAI’s Web site at www.ncai.org.